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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 002569

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FOR NEA/ARP, INL/HSTC AND G/TIP

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TAGS: PHUM ELAB KU TIP

SUBJECT: KUWAITI NGO SAYS IT WILL BREAK THE IMPASSE OVER
IMPLEMENTING STANDARDIZED DOMESTIC LABOR CONTRACTS

REF: A. KUWAIT 2395
1B. KUWAIT 2147
1C. KUWAIT 1041
1D. KUWAIT 921
1E. KUWAIT 724
1F. KUWAIT 436

Classified By: CDA Matt Tueller for reasons 1.4(b) and (d).

11. (C) Summary: Social Work Society Chairman Faisal Al-Masoud called Poloff to say that the GOK had decided it could not implement the standard domestic worker contract it promised as part of an effort to improve the lot of domestic workers because of popular opposition. Al-Masoud claims he has coordinated with senior officials in the Ministry of Interior (MOI) to mount an awareness campaign that will remove this opposition and pave the way for the implementation of the contract. Al-Masoud also spoke with the head of the Immigration Department at the MOI about the work of the Domestic Workers Administration and promised to try to find a way to improve its effectiveness. The SWS has demonstrated a commitment to human rights issues -- for instance, by completing a comprehensive study on the plight of domestic workers -- but Post remains wary as to whether its ties to the government may affect its work. End Summary.

NGO Chairman: GOK Will not Implement Contract

12. (C) Faisal Al-Masoud, Chairman of the Social Work Society (SWS), called Poloff on June 25 to report on his discussions with senior officials in the Ministry of Interior about the implementation of a standardized domestic labor contract. The contract should help the situation of domestic laborers by stipulating minimum standards for salary and other work conditions. It was supposed to be implemented in the fall of 2005 but has been repeatedly delayed. In March, MOI Immigration chief Abdullah Al-Ruwaih told Poloff (and the press) that implementation of the contract would be delayed until August while Kuwaiti embassies abroad made the necessary administrative preparations. (Note: Doubt was cast on this explanation in a May 23 meeting with Kuwait's Ambassador to Indonesia (ref B). End Note.) In a June 19 meeting (ref A) between the Charge and the MOI's Assistant Undersecretary, Shaykh Ahmad Nawaf Al-Sabah, Al-Ruwaih contradicted himself by saying the reason for the delay was that an information campaign was necessary before implementation could take place. Since many Kuwaitis leave the country during the summer, Al-Ruwaih said the contract could be implemented after they got back, perhaps in September or October.

13. (C) Al-Masoud said he had met Al-Ruwaih on June 21. Al-Ruwaih complained to Al-Masoud about the interference of Poloff and the American Embassy in internal Kuwaiti affairs.

More importantly, he told Al-Masoud that the GOK had studied the issue and determined that implementing such a contract would produce an unacceptably harsh confrontation with Kuwaiti society. Al-Masoud, whose NGO has taken a substantial interest in the issue of foreign workers, then worked out a deal to try to implement the contract.

Al-Masoud will prepare an information campaign in July. He will begin informally spreading the word in August; he will try to reach men through diwaniyas and women through informal networks and meetings. The official campaign will begin September 1, and will be designed to take the initial brunt of any backlash. The MOI would then begin its own information campaign on September 25. Al-Masoud told Poloff in confidentiality that he had also spoken to Nasser Al-Othman, Undersecretary at the MOI, on June 24. Al-Othman reportedly expressed his support for the plan, although he insisted that his support not be made public at this stage.

¶4. (C) Comment: While it is not a positive sign that the head of Immigration -- the department which has responsibility for domestic workers -- appears to have been less than truthful about the contract, it is instructive to see the difficulty Kuwait faces because of societal attitudes. Hence, Post requests a determination on its request for funding for Project RESPECT (ref F). The conversation with Al-Masoud does suggest that the GOK is looking for a way to deal with the problem, however. Since Al-Masoud is a new contact for Post, it is difficult to judge whether his approach is workable. End Comment.

Domestic Workers Administration

¶5. (C) After the June 19 meeting with Shaykh Ahmad, Poloff

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spoke with Al-Ruwaih and Domestic Workers Administration head Esam Nomani about giving the DWA more authority in order to increase its effectiveness. Specifically, Poloff suggested that it needed to hire more staff in order to handle more cases, and more importantly, needed to penalize those who violate their employees' rights in order to deter further abuses. Al-Ruwaih said these were good ideas and asked Nomani to look into them. In his conversation with Al-Masoud, Al-Ruwaih noted these requests from the U.S. Embassy and complained that the authority to impose such punishments could only come with a new law. Al-Masoud claimed he would figure out a way the DWA could impose punishments until such a law could be passed.

SWS' Closeness to the Regime: Positive or Negative?

¶6. (C) The Social Work Society was founded by Faisal Al-Masoud, a human rights activist, and Shakha Bibi Nasser Al-Sabah, the Amir's granddaughter. It seems to have a real commitment to improving the lot of foreign workers, especially household workers. Poloff made his second trip to SWS headquarters on June 11, where Al-Masoud and an Egyptian professor named Abdulrauf Al-Gardawi presented an advance look into an extensive study that SWS has just completed on domestic labor in Kuwait. The study is due to be officially released soon. Al-Masoud said it was the first truly independent study of the domestic labor industry. They analyzed the responses to questionnaires of 1002 domestic workers and 596 employers of domestic workers and made recommendations for improving the situation of the workers. The study is professionally done and even includes footnotes on social science research methodology.

¶7. (C) SWS does, however, have ties to the government and the Al-Sabah family. And it seemed to be a rather suspicious coincidence that Al-Masoud met with Al-Ruwaih only two days after Post's meeting. Similarly, SWS paid the DWA a visit not long after Post had done so (ref C). When Poloff asked Kholoud Al-Feeli, a board member of the Kuwait Human Rights

Society (HRS), her views on the SWS, she dismissed it as a pet project of the royal family. Perhaps Al-Feeli knows something specific, but petty jealousy could also be behind her statement. She acknowledged that one of her fellow HRS board members, and one of the most prominent human rights advocates in Kuwait, former oil minister Ali Al-Baghli, serves on the board of directors of SWS. Al-Masoud claims to know many people in the upper echelons of Kuwaiti society and the royal family, producing a newspaper clipping showing him meeting the Minister of Social Affairs and Labor in May to prove it. Al-Feeli may be correct in insinuating that the closeness of SWS to the regime may impede its likeliness to produce real change. On the other hand, it may also give it the ability to effect change. Furthermore, the royal family in Kuwait is not monolithic, so the mere presence of someone like Bibi Nasser Al-Sabah does not necessarily mean the organization is a tool of the government. Post is remaining cautious about the independence of SWS in the meantime.

Bio Note

¶8. (C) Shaykha Bibi Nasser Al-Sabah is in her late 20s or early 30s. Her father, Shaykh Nasser Sabah Al-Ahmad Al-Sabah, is the son of the Amir and currently serves as Minister for Amiri Diwan affairs. Shaykha Bibi spent approximately six years in New York during her late teens and early twenties. She speaks fluent American English. She told Poloff that she found it difficult to readjust to the social rigidity of Kuwaiti society after having been in the U.S. for her formative years.

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